

### REMARKS

This Amendment is in response to the Office Action mailed October 31, 2007. Claim 20 has been amended. Reconsideration and withdrawal of the rejections are respectfully requested in view of the following remarks.

#### **Rejections under §102**

In the Office Action the Examiner rejected claims 16- 20 under 35 U.S.C. §102(e) as being anticipated by Valdes Sosa. The Applicant respectfully disagrees.

It is well settled that to anticipate a claim, the reference must teach every element of the claim, see M.P.E.P. §2131. Moreover, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, “[t]he elements must be arranged as required by the claim,” see M.P.E.P. § 2131, citing *In re Bond*, 15 US.P.Q.2d 1566 (Fed. Cir. 1990). Furthermore, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, “[t]he identical invention must be shown in as complete detail as is contained in the . . . claim,” see M.P.E.P. § 2131, citing *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913 (Fed. Cir. 1989). The Applicant respectfully asserts that the rejection does not satisfy these requirements.

Independent claim 20 requires “a processor . . . configured to support multiple threads of execution....” Multiple threads of execution are defined on page 4 of the specification as “a single sequence of instructions executed in parallel with other sequences....” Multiple threads differ from multi-tasking in that multi-tasking is independent processes and multiple threads share information, memory and other resources directly between each thread. The Examiner indicated that Valdes Sosa disclosed a processor configured to support multiple threads of execution at column 13, line 65 through column 14, line 67; column 15 lines 1 – 5. The cited section of Valdes Sosa discloses multi-tasking and not multiple threads of execution. Valdes Sosa does not disclose the steps executed in parallel nor the direct sharing of information,

memory or other resources between any of the algorithms. Therefore, it is respectfully submitted that Valdes Sosa does not disclose the limitations of claim 20 in its entirety. Thus, claim 20 is believed allowable over Valdes Sosa. Furthermore, dependent claims 16-19 are believed allowable as well by virtue of their dependency either directly or indirectly from allowable claims. Reconsideration and withdrawal of the rejection are respectfully requested.

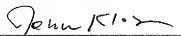
Claim 20 also requires "using the source reconstruction to modify the acquisition of a new electromagnetic physiological signals." The Examiner indicated that this was disclosed by Valdes Sosa at column 33, line 12 – column 34, line 3. However, that citation to a portion of Valdes Sosa does not teach this limitation. Valdes Sosa does not teach using a source reconstruction to modify the acquisition of a new electromagnetic physiological signal. Therefore, it is respectfully submitted that the Valdes Sosa does not re claim 20. Reconsideration and withdrawal of the rejection are respectfully requested.

In view of the above, applicant believes the pending application is in condition for allowance. Reconsideration and allowance of the pending claims are respectfully requested.

If an extension of time fee or any other fee is due, please charge Deposit Account Number 023732 from which the undersigned is authorized to draw.

Dated: October 29, 2008

Respectfully submitted,

By 

John F. Klos

Registration No.: 37,162

Briggs and Morgan, P.A.

2200 IDS Center

80 South Eighth Street

Minneapolis, Minnesota 55402-2112